

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

JACOB SMITH,

Plaintiff,

vs.

ROEY PFISTER, et al.,

Defendants.

**CV-20-05-H-BMM-JTJ**

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on July 14, 2020. (Doc. 23). Smith filed a complaint alleging several defendants retaliated against him. Smith has filed a motion for leave to file an amended complaint seeking to add seven additional defendants, which Smith claims retaliated against him.

Neither party filed objections to the Findings and Recommendations. The Court reviews for clear error any portion to which no party specifically objected. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

The Magistrate Judge correctly concluded that Smith's Motion for Leave to File an Amended Complaint should be denied. The Magistrate Judge concluded that the new alleged acts of retaliation do not relate to those set forth in his original complaint in conformance with the Federal Rules of Civil Procedure. *See* Fed.R.Civ.P. 20(a)(2). Smith may raise his new allegations in a separate complaint.

Therefore, the Magistrate Judge did not clearly err in concluding that Smith's motion for leave to amend should be denied.

**IT IS ORDERED** that the Findings and Recommendations (Doc. 23) are **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Smith's Motion for Leave to File an Amended Complaint (Doc. 13) is **DENIED**.

DATED this 7th day of August, 2020.



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Brian Morris, Chief District Judge  
United States District Court